

REMARKS

I. Introduction

Claims 28 to 56 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to Claim 55

As regards the objection to claim 55, the Examiner will note that claim 55 has been amended herein without prejudice to change its dependency from claim 53 to claim 54, thereby obviating the present objection. Withdrawal of this objection is therefore respectfully requested.

III. Allowed Claims 39 and 56

Applicant notes with appreciation the indication that claims 39 and 56 are allowed.

IV. Rejection of Claims 34, 35, 38 and 40 Under 35 U.S.C. § 112, Second Paragraph

Claims 34, 35, 38 and 40 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite.

Regarding claims 34 and 35, it is respectfully submitted that these claims unquestionably set forth features (a) and (b) in the alternative and thus fully comply with the definiteness requirement of 35 U.S.C. § 112.

Regarding claim 38, there is no lack of antecedent basis for "other capacitors" since claim 38 does not recite "the other capacitors."

Regarding claim 40, while Applicant does not necessarily agree with the merits of the contentions set forth in the Final Office Action, to facilitate matters, claim 40 has been amended herein without prejudice to recite that a buffer module includes a capacitor having a charging current at least one of (a) influenceable by at least an electronic circuit breaker and (b) controllable by at least an electronic circuit breaker.

In view of all of the foregoing, it is respectfully submitted that claims 34, 35, 38 and 40 are sufficiently definite and are fully compliant with the requirements of

35 U.S.C. § 112, second paragraph. As such, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 28 to 37, 48 and 53 Under 35 U.S.C. § 103(a)

Claims 28 to 37, 48 and 53 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 4,061,948 (“Lamarter”). It is respectfully submitted that Lamarter does not render unpatentable the present claims for at least the following reasons.

Claim 28, for example, recites that a converter system includes at least one buffer module configured to store energy and that the buffer module is (1) configured to be supplied with energy for periods of time when an intermediate circuit voltage exceeds a first critical value and an overall regenerative power of a first drive module exceeds a motive power of a second drive module and (2) configured to feedback energy to at least one drive module when a total motive power of the at least one drive module exceeds the regenerative power. Independent claims 48 and 53 include analogous features.

The Final Office Action contends that components 15 to 18 described by Lamarter constitute a buffer configured to store energy. However, components 15 to 18 are referred to at, e.g., col. 3, line 27 as diodes, via which a power transfer or equalizing circuit 14, which functions as a means for leveling an intermediate DC circuit, is loosely back coupled to the intermediate DC circuits 6, 7. A diode, of course, is a component that restricts the directional flow of charge carriers. That is, a diode allows an electric current to flow in one direction but blocks it in the opposite direction. There is absolutely no indication or suggestion by Lamarter that diodes 15 to 18 in any manner store energy. Furthermore, there is no indication or suggestion by Lamarter that diodes 15 to 18 are (1) configured to be supplied with energy for periods of time when an intermediate circuit voltage exceeds a first critical value and an overall regenerative power of a first drive module exceeds a motive power of a second drive module and (2) configured to feedback energy to at least one drive module when a total motive power of the at least one drive module exceeds the regenerative power. Accordingly, it is respectfully submitted that Lamarter plainly fails to disclose, or even suggest, all of the features included in independent claims 28, 48 and 53. Consequently, it is respectfully submitted that

Lamarter does not render unpatentable claims 28, 48 and 53, or any dependent claims that depend therefrom.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claims 38, 40 41, 43 and 44 Under 35 U.S.C. § 103(a)

Claims 38, 40, 41, 43 and 44 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Lamarter and U.S. Patent No. 5,631,813 (“Ikeshita”). It is respectfully submitted that the combination of Lamarter and Ikeshita does not render unpatentable the present claims for at least the following reasons.

Claims 38, 40, 41, 43 and 44 ultimately depend from claim 28 and therefore include all of the features included in claim 28. As more fully set forth above, Lamarter does not render unpatentable claim 28. Ikeshita does not cure the critical deficiencies noted above with respect to claim 28. As such, it is respectfully submitted that the combination of Lamarter and Ikeshita does not render unpatentable claims 38, 40, 41, 43 and 44, which ultimately depend from claim 28.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claims 45 and 46 Under 35 U.S.C. § 103(a)

Claims 45 and 46 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Lamarter, Ikeshita and U.S. Patent No. 6,367,273 (“Takagi et al.”). It is respectfully submitted that the combination of Lamarter, Ikeshita and Takagi et al. does not render unpatentable the present claims for at least the following reasons.

Claims 45 and 46 ultimately depend from claim 28 and therefore include all of the features included in claim 28. As more fully set forth above, Lamarter does not render unpatentable claim 28. Neither Ikeshita nor Takagi et al. cures the critical deficiencies noted above with respect to claim 28. As such, it is respectfully submitted that the combination of Lamarter, Ikeshita and Takagi et al. does not render unpatentable claims 45 and 46, which ultimately depend from claim 28.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VIII. Rejection of Claim 47 Under 35 U.S.C. § 103(a)

Claim 47 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Lamparter and Takagi et al. It is respectfully submitted that the combination of Lamparter and Takagi et al. does not render unpatentable claim 47 for at least the following reasons.

Claim 47 depends from claim 28 and therefore includes all of the features included in claim 28. As more fully set forth above, Lamparter does not render unpatentable claim 28. Takagi et al. do not cure the critical deficiencies noted above with respect to claim 28. As such, it is respectfully submitted that the combination of Lamparter and Takagi et al. does not render unpatentable claim 47, which depends from claim 28.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IX. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

By: 
Clifford A. Ulrich
Reg. No. 42,194

Date: August 20, 2007

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646